

COMMONWEALTH'S PROPOSED VOIR DIRE QUESTIONS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

AND NOW, comes the Commonwealth of Pennsylvania by and through its attorneys, STEPHEN A. ZAPPALA, JR., District Attorney of Allegheny County, and STEVEN M. STADTMILLER, Deputy District Attorney, and respectfully proposes the following voir dire questions:

1. This is not a Capital case. Is there anything about being called upon to serve as a juror in a murder case that causes you to believe that you would not be able to sit as a fair and impartial juror?

granted/denied

2. The elements of any crime, whether a minor misdemeanor (like retail theft) or a serious felony (like robbery), must be proven beyond a reasonable doubt. Do you understand that this burden of proof is no higher just because this is a murder case?

granted/denied

3. The judge will instruct you that although the Commonwealth must prove its case beyond a reasonable doubt, it does not have to prove its case beyond all doubt, or to a mathematical certainty of one-hundred percent before you can find the defendant guilty. Can you follow this instruction, or, before you could vote to find the defendant guilty, would you expect the Commonwealth to prove its case beyond all doubt?

granted/denied

4. If the Commonwealth proves the defendant guilty beyond a reasonable doubt your verdict should be guilty, can you assure us that you will follow the law and vote to find him guilty?

granted/denied

*will be
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as*

5. On the other hand, if the Commonwealth fails to prove the defendant guilty beyond a reasonable doubt your verdict must be not guilty, can you vote to find him not guilty?

Granted/denied

*will be answered with
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6. Do you understand that television shows such as C.S.I. are merely dramatic interpretations of forensic science and that the evidence, procedures and equipment used in such shows are not always available or necessary in real-world criminal investigations? Can you guarantee us that your evaluation of the scientific evidence in this case will not be influenced by what you may have seen on such television dramas?

granted/denied

*Withdrawn
by counsel
for Commonwealth
Date 6/7/12*

Respectfully submitted,

STEPHEN A. ZAPPALA, JR.
DISTRICT ATTORNEY

By:


STEVEN M. STADTMILLER
DEPUTY DISTRICT ATTORNEY

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DEPT OF PROSECUTIONS
DEPT OF CRIMINAL DIVISION
ALLEGHANY COUNTY PA